(c) whether it is a fact that no time frame has been fixed for the above said new scheme and there is no provision for any specific budget for it; and

(d) the progress report of the work done by Government in the above said field?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) No, Sir.

(b) to (d) Does not arise.

**Provisions of Motor Vehicles Act**

†4058. SHRI LALIT KISHORE CHATURVEDI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that under the section 168 of Motor Vehicles Act the presence of the accused person is not mandatory, in the case of the advocate of the accused person being present in the court or payment of the penalty mentioned in the summon, and the case should be disposed;

(b) whether it is also a fact that this provision is mandatory and it should be complied by the courts;

(c) the number of cases, which are punishable under this section, lying pending due to non-compliance of this section; and

(d) if so, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (d) The information is being collected and will be laid on the Table of the House.

**Recognition to same sex marriages**

4059. SHRI SHAHID SIDDIQUI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government plans to legally recognize the same sex marriages, now taking place in India;

(b) how many such cases have come to the notice of Government, by now;

(c) whether any action has been taken against them; and

(d) if so, the details thereof. State-wise?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) No, Sir. (b)

to (d) No such cases have come to the notice of the Government.

**Replacement of old laws**

4060. SHRI ABU ASIM AZMI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that all the laws/rules now prevalent in the country were enforced by the British Government for their own benefit, and not for the Indians;

† Original notice of the question was received in Hindi.

(b) whether it is also a fact that since independence, all the British framed laws/rules, etc. are enforced even today, and there has been no amendment/replacement thereof;

(c) whether it is also a fact that due to such laws and rules, etc., the common man is being harassed by Government officials; and

(d) if so, whether there is a proposal under active consideration to set up an Expert Committee to replace the old laws and introduce the new ones, *i.e.* our own?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) No, Sir.

(b) Review of all laws, including those enacted during the British era, with a view to bring them in harmony with the current economic and social development in the country is a continuous process. This task is undertaken by various Ministries/Departments of the Central Government administering the respective laws. The Law Commission of India also undertakes, from time to time, the study of such laws which may help in achieving the above objectives.

(c) and (d) In 1998, the Government set up a Committee on Review of Administrative Laws (known as the RC. Jain Commission) with the objective of examining the need of amendments in the repeal of old/obsolete laws, among others. The salient features of the recommendations of the said Committee included, among others, amendment of laws/rules, review of Acts of critical importance and repeal of dysfunctional/irrelevant laws. The implementation of the report submitted by the said Committee has been undertaken by the respective Ministries/Departments and is being monitored by the Department of Administrative Reforms and Public Grievances of the Central Government. The Government has also taken steps to bring justice at the doorsteps of the rural masses by setting up of Gram Nyayalayas.

**Strength of judges and infrastructure facilities in courts**

4061. SHRIMATI SHOBHANA BHARTIA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Chief Justice of India has recently urged Government to increase the strength of judges in the country, to cope with the needs and demands;

(b) if so, the reaction of Government in this regard;

(c) whether several High Courts in the country are not equipped with proper infrastructure facilities, resulting into backlog of cases; and

(d) if so, the steps taken by Government to increase the strength of judges in various courts and to ensure availability of proper infrastructure facilities?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (d) The Chief Justice of India, while speaking at the official functions organized by different bodies, has urged the Government to increase the strength of Judges in the country to cope with the needs of the judiciary.

The Judge strength of the High Courts was reviewed during 2006 and 2007 and with the consent of Chief Justice of India, a total of 152 additional posts of Judges in various High Courts have been approved. Government has also introduced the Supreme Court (Number of Judges) Amendment Bill, 2008 in the Lok Sabha on 29.4.2008 for augmenting the judge strength of the Supreme Court from the present 25 Judges to 30 Judges excluding the Chief Justice of India.